

## **REMARKS/ARGUMENTS**

The Applicants originally submitted Claims 1-20 in the application. The Applicants have previously amended Claims 1 and 8 and have canceled Claims 3 and 10 without prejudice of disclaimer. In the present response, the Applicants have not cancelled or amended any claims but have added Claims 21 and 22. Accordingly, Claims 1-2, 4-9 and 11-22 are currently pending in the application.

### **I. Rejection of Claims 1-2, 8-9, and 15-16 under 35 U.S.C. §103**

The Examiner has rejected Claims 1-2, 8-9 and 15-16 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,661,718 to Bremer, *et al.* ("Bremer") in view of U.S. Patent No. 4,512,013 to Nash, *et al.* ("Nash"). The Applicants respectfully disagree since the cited combination of Bremer and Nash does not teach or suggest communicating data over a voice channel between a transmitter of a base station and a receiver of a handset of a cordless telephone including identifying a pause in voice traffic that is to be transmitted over the voice channel and responding to the pause by causing the transmitter to transmit data to the receiver over the voice channel. (Claims 1, 8 and 15).

Bremer discloses an improved modem for concurrent communication of analog and digital information. (Abstract). The improved modem, denoted an svd modem, may include voice signal energy detector that can detect periods of silence and send less urgent telemetry data during those silence periods. (Column 7, lines 53-56). As illustrated in FIGURE 21, the svd modem may be located in a base station of a cordless telephone. (Column 14, lines 55-64).

The svd modem, however, is not for communicating data over a voice channel between a transmitter of the base station and a receiver of a handset of a cordless telephone as recited in Claims 1, 8 and 15. Instead, the svd modem provides concurrent digital and analog communication between the base station and a customer support center. (FIGURE 21 and Column 14, lines 29-64). Additionally, the svd modem does not identify a pause in voice traffic that is to be transmitted over the voice channel between the transmitter of the base station and the handset receiver as recited Claims 1, 8 and 15. In fact, the Applicants do not find where Bremer addresses communicating between the base station and the handset. On the contrary, Bremer teaches a modem that combines digital and analog information for transmission over a telephone network. (Column 9, lines 45-47 and FIGURE 13).

Nash is directed to a technique for simultaneous transmission of speech and data over an analog channel. (Column 1, lines 7-9). Nash has not been cited to cure the deficiencies of Bremer but to teach "to be transmitted over a voice channel." (Examiner's Action, page 3). Nash has not been cited, however, to teach or suggest communicating over a voice channel between a base station and a handset of a cordless telephone. Additionally, like Bremer, the Applicants do not find where Nash teaches or suggests communicating between a base station and a handset of a cordless telephone as recited in Claims 1, 8 and 15.

Since the cited combination of Bremer and Nash fails to teach or suggest all of the elements of the inventions of independent Claims 1, 8 and 15, the cited combination does not establish a *prima facie* case of obviousness of Claims 1, 8 and 15 and Claims dependent thereon. The Applicants therefore respectfully traverse the Examiner's rejection of Claims 1-2, 8-9 and 15-16 under 35 U.S.C. §103(a) and request and issuance of allowance thereof.

## **II. Rejection of Claims 4-5, 11-12 and 17-18 under 35 U.S.C. §103**

The Examiner has rejected Claims 4-5, 11-12 and 17-18 under 35 U.S.C. §103(a) as being unpatentable over Bremer in view of Nash and in further view of U.S. Patent No. 6,349,212 to Martensson, *et al.* (Martensson).

As discussed above, the cited combination of Bremer and Nash fails to teach or suggest all of the elements of the inventions recited in independent Claims 1, 8 and 15. Martensson is directed to a cordless telephone arrangement including a base station and a plurality of mobile stations. (Column 1, lines 7-11). Martensson has not been cited to cure the deficiencies of the cited combination but to teach data comprising caller identification data and data comprising menu item selection data. (Examiner's Action, page 3). Thus, the cited combination of Bremer, Nash and Martensson does not teach or suggest all of the elements of the inventions of independent Claims 1, 8 and 15 and thus, does not establish a *prima facie* case of obviousness of dependent Claims 4-5, 11-12 and 17-18, which include the elements of the respective independent claims. The Applicants therefore respectfully traverse the Examiner's rejection of Claims 4-5, 11-12 and 17-18 under 35 U.S.C. §103(a) and request allowance thereof.

## **III. Rejection of Claims 6, 13 and 19 under 35 U.S.C. §103**

The Examiner has rejected Claims 6, 13 and 19 under 35 U.S.C. §103(a) as being unpatentable over Bremer in view of Nash and in further view of U.S. Patent No. 5,020,051 to Beesley, *et al.* (Beesley).

As discussed above, the cited combination of Bremer and Nash fails to teach or suggest all of the elements of the inventions recited in independent Claims 1, 8 and 15. Beesley is directed

establishing a digital time-division duplex radio communication link between one of a plurality of portable units and a base unit of a cordless telephone system. (Column 1, lines 7-11). Beesley has not been cited to cure the deficiencies of the cited combination but to teach a transmitter that transmits voice in frames. (Examiner's Action, page 4). Thus, the cited combination of Bremer, Nash and Beesley does not teach or suggest all of the elements of the inventions of independent Claims 1, 8 and 15 and thus, does not establish a *prima facie* case of obviousness of dependent Claims 6, 13 and 19 which include the elements of the respective independent claims. The Applicants therefore respectfully traverse the Examiner's rejection of Claims 6, 13 and 19 under 35 U.S.C. §103(a) and request issuance of allowance thereof.

#### **IV. Rejection of Claims 7, 14 and 20 under 35 U.S.C. §103**

The Examiner has rejected Claims 7, 14 and 20 under 35 U.S.C. §103(e) as being unpatentable over Bremer in view of Nash and in further view of U.S. Patent No. 6,301,287 to Walley, *et al.* (Walley). As discussed above, the cited combination of Bremer and Nash fails to teach or suggest all of the elements of the inventions recited in independent Claims 1, 8 and 15. Walley has not been cited to cure the deficiencies of the cited combination but only for the premise of teaching the subject matter of dependent Claims 7, 14 and 20. Thus, the cited combination of Bremer, Nash and Walley does not teach or suggest all of the elements of the inventions of independent Claims 1, 8 and 15 and thus, does not establish a *prima facie* case of obviousness of dependent Claims 7, 14 and 20 which include the elements of the respective independent claims. The Applicants therefore respectfully traverse the Examiner's rejection of Claims 7, 14 and 20 under 35 U.S.C. §103(a) and request issuance of allowance thereof.

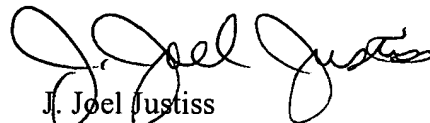
**V. Conclusion**

In view of the foregoing remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-2, 4-9 and 11-22.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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